



THOMAS L. WELCH
CHAIRMAN

STATE OF MAINE
PUBLIC UTILITIES COMMISSION
242 STATE STREET
18 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0018

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WILLIAM M. NUGENT
STEPHEN L. DIAMOND
COMMISSIONERS

September 25, 2000

Magalie R. Salas, Secretary
Federal Communications Commission
Portals II, TW-A325
445 Twelfth Street, S.W.
Washington, D.C. 20554

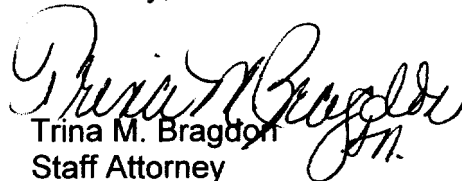
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Re: CC Docket No. 99-200

Dear Ms. Salas:

Enclosed please find a courtesy copy of the Comments of the Maine, New Hampshire and California Public Utilities Commissions which were filed electronically today in the above-captioned matter.

Sincerely,


Trina M. Bragdon
Staff Attorney

Enclosures

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

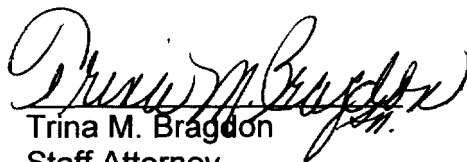
Numbering Resource Optimization

CC Docket No. 99-200

COMMENTS ON THE MAINE, NEW HAMPSHIRE
AND CALIFORNIA PUBLIC UTILITIES COMMISSIONS

On September 5, 2000, the Federal Communications Commission (FCC or Commission) issued a public notice soliciting comments on the thousands-block pooling administrator technical requirements. Specifically, the Commission requested comments on whether the technical requirements in the proposed Pooling Administration Requirements Documents are sufficiently detailed, comprehensive, and clear and whether they adequately describe the duties and scope of the National Thousands-Block Pooling Administrator's responsibilities. The Public Utilities Commissions of Maine, New Hampshire, and California hereby submit the attached comments in response to the FCC's request. We also support the comments made by the Public Utilities Commission of Texas.

Respectfully submitted,



Trina M. Bragdon
Staff Attorney
Maine Public Utilities Commission

On behalf of

E. Barclay Jackson
Attorney
New Hampshire Public Utilities Commission

And

Helen M. Mickiewicz
Attorney
California Public Utilities Commission

**COMMENTS OF THE MAINE, NEW HAMPSHIRE
AND CALIFORNIA PUBLIC UTILITIES COMMISSIONS**

2.0 Pooling Administration Requirements

The proposed Pooling Administration Requirements Document (PARD) lists various reference sources, such as industry guidelines and regulatory orders issued by the FCC. However, the PARD does not mention regulatory orders issued by state commissions. Because the NRO Order¹ delegated certain authority to state commissions (e.g. reclamation) which may impact the duties and responsibilities of the Pooling Administrator (PA), the final PARD should also reference "regulatory orders issues by state commissions."

2.5.1 Process

"INC may establish guidelines and procedures that may have an effect on the functions performed by the pooling administrator"

The final Pooling Administration Requirements Document (PARD) should state that INC guidelines and procedures may be modified by FCC or state regulatory orders.² In the event that the PA believes there is a conflict between the guidelines and FCC or state orders, the FCC or state order(s) shall prevail.

2.5.3 Notification

The proposed PARD requires notification of guideline changes to all interested parties except state commissions. The final document should require notification of state commissions.

2.5.4 Roles

The proposed PARD requires that the PA follow state orders "as long as they are not in conflict with FCC decisions, orders and rules and are within state jurisdiction."

The final document should specify that the PA must immediately notify a state commission of any order it will not enforce because the PA believes it conflicts with a FCC decision, order, or rule and provide a written explanation of the basis for that conclusion.

¹ *Numbering Resource Optimization*, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 7574 (2000) (*NRO Order*).

²Any state modifications must be consistent with delegated authority and with FCC orders.

2.10.3.1 Notification Process

The final PARD should require notification of the proposed schedule to state commissions.

2.10.3.6 Implementation Schedule Development

With regard to inclusion of the current state trials in the initial rollout schedule, the final PARD should make clear that conversion of the current state trials will not require the same amount of time as rolling out pooling in new areas and that the PA should plan accordingly. If conversion of 4 current trials takes a total of 3 months, a state should be able to rollout additional trials during that same year provided all other requirements are met.

2.12 Industry Inventory Pool Establishment Timeline

The final PARD should include states in the development of the implementation timeline.

2.13.4 Due Diligence

The proposed PARD requires the PA to “validate” months to exhaust worksheets but does not specify the level of review. Given that MTEs are based upon carriers’ estimated forecasts demand and not on historic utilization data, the final PARD should require the PA to scrutinize the MTEs to ensure compliance with the FCC’s rules, including the rules relating to keeping only a six month inventory of numbers at all times and utilization rates. The final PARD should also make clear that the PA should exercise its independent judgment when reviewing carrier’s MTE forecasts.

2.14 Management of Pool Inventory

The proposed PARD suggests that pools must be sized on the basis of carrier forecasts. The final PARD should make clear that the PA should exercise its judgment and should consult with the relevant state commission when sizing the pool. Strict reliance on carrier forecasts should not be required.

2.16 Resource Reclamation

The proposed PARD only references the INC guidelines relating to reclamation. The final PARD should reference the FCC’s Order and the role of states in the reclamation process.

2.17.5 Interface with Regulatory Agencies

The proposed PARD does not require an electronic interface. The final PARD should require an electronic interface.

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The proposed PARD makes repeated references to the provision of "aggregated" data to states. The final PARD must reflect the requirement of the FCC Order that states have access to disaggregated data on a non-enterprise service basis.

4.10 Optional Pooling Reports

The proposed PARD makes many PA reports "enterprise services." The final PARD should state that specific decisions regarding which services will be considered enterprise services will be determined by the FCC in consultation with the states.

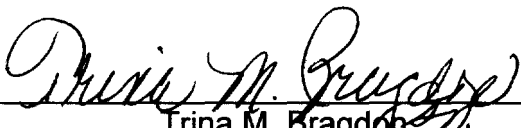
Appendix 1 Definition of Customer

The proposed PARD defines customer as only those who are paying, i.e. service providers. The final PARD should eliminate the term customer and make clear that the FCC, not carriers, control the scope of the PA's duties.

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CERTIFICATE OF SERVICE

I, Trina M. Bragdon, certify that on this day the Comments of the Maine, New Hampshire and California Public Utilities Commissions were served via first-class mail to the persons on the attached service list on September 25, 2000.


Trina M. Bragdon

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SERVICE LIST

CC Docket No. 99-200

Chairman William E. Kennard*
Federal Communications Commission
The Portals
445 12th Street, S.W., 8th Floor
Washington, DC 20554

Commissioner Harold Furchtgott-Roth*
Federal Communications Commission
The Portals
445 12th Street, S.W., 8th Floor
Washington, DC 20554

Commissioner Michael Powell*
Federal Communications Commission
The Portals
445 12th Street, S.W., 8th Floor
Washington, DC 20554

Commissioner Gloria Tristani*
Federal Communications Commission
The Portals
445 12th Street, S.W., 8th Floor
Washington, DC 20554

Commissioner Susan P. Ness
Federal Communications Commission
The Portals
445 12th Street, S.W., 8th Floor
Washington, DC 20554

Cynthia B. Miller
Public Service Commission of Florida
2540 Shumard Oak Blvd.
Tallahassee, FL 32399

Kathy Brown*
Chief of Staff
Federal Communications Commission
The Portals
445 12th Street, S.W., 8th Floor
Washington, DC 20554

Christopher Wright*
General Counsel
Federal Communications Commission
445 12th Street, S.W., 8th Floor
Washington, DC 20554

The Honorable Jack R. Goldberg
State of Connecticut
Department of Public Utility Control
10 Franklin Square
New Britain, CT 06051

Helen M. Mickiewicz
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

M. Robert Sutherland
Theodore R. Kingsley
BellSouth Corporation
1155 Peachtree Street, NE, Suite 1700
Atlanta, GA 30309

H. Gilbert Miller
Mitretek Systems Inc.
Center for Telecommunications
and Advanced Technology
7525 Colshire Drive
McLean, VA 22102

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Michael F. Altschul
Randall S. Coleman
Lolita D. Smith
Cellular Telecommunications Industry Assn
1250 Connecticut Avenue, NW, Suite 800
Washington, DC 20036

Russell M. Blau
Michael R. Romano
Jeanne W. Stockman
Attorneys for RCN Telecom Services, Inc.
Swidler Berlin Shereff Friedman, LLP
3000 K Street, NW, Suite 300
Washington, DC 20007

Alfred G. Richter, Jr.
Roger K. Toppins
SBC Communications, Inc.
One Bell Plaza, Room 3022
Dallas, TX 75202

Brian Conboy
Thomas Jones
Attorneys for Time Warner Telecom
Willkie Farr & Gallagher
1155 21st Street, NW
Washington, DC 20036

Judith St. Ledger-Roty
Todd D. Daubert
Attorneys for Paging Network, Inc.
Kelley Drye & Warren, LLP
1200 19th Street, NW, Suite 500
Washington, DC 20036

Leonard J. Kennedy
Laura H. Phillips
Attorneys for Nextel Communications, Inc.
Dow, Lohnes & Albertson, PLLC
1200 New Hampshire Ave, NW, Suite 800
Washington, DC 20036

Delia Reid Saba
Christopher J. Wilson
Attorneys for Cincinnati Bell Telephone Co
201 E. Fourth Street
Cincinnati, OH 45202

Gregory J. Doyle
Minnesota Department of Public Service
121 7th Place East, Suite 350
St. Paul, MN 55101

Mark C. Rosenblum
Roy E. Hoffinger
James H. Bolin, Jr.
AT&T Corp.
295 North Maple Avenue
Basking Ridge, NJ 07920

Lynda L. Dorr
Public Service Commission of Wisconsin
610 North Whitney Way
Madison, WI 53707

Carl K. Oshiro
Attorney for
Small Business Alliance for Fair
Utility Regulation
100 First Street, Suite 2540
San Francisco, CA 94105

James Bradford Ramsay
NARUC Assistant General Counsel
NARUC
1100 Pennsylvania Avenue, NW, Suite 603
Washington, DC 20044

Robert H. Bennink, Jr.
Erin K. Duffy
North Carolina Utilities Commission
430 N. Salisbury Street
Raleigh, NC 27603

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Richard L. Jones
c/o Loves Park 9-1-1
540 Loves Park Drive
Loves Park, IL 61111

Susan M. Edi
Richard A. Karre
Tina S. Pyle
MediaOne Group, Inc.
1919 Pennsylvania Ave, NW, Suite 610
Washington, DC 20006

Jonathan E. Canis
Enrico Soriano
Attorneys for
voiceStream Wireless Corporation
1200 19th Street, NW, 5th Floor
Washington, DC 20036

Karlyn D. Stanley
Attorney for Centennial Cellular Corp.
Cole Raywid & Braverman, LLP
1919 Pennsylvania Ave, NW, Suite 200
Washington, DC 20006

Mark J. Burzych
Attorney for Thumb Cellular
Foster Swift Collins & Smith, PC
313 South Washington Square
Lansing, MI 48933

Susan W. Smith
CenturyTel Wireless, Inc.
3505 Summerhill Road
No. 4 Summer Place
Texarkana, TX 75501

Kenneth E. Hardman
Attorney for Trillum Cellular Corp.
Moir & Hardman
1828 L Street, NW, Suite 901
Washington, DC 20036

Werner K. Hartenberger
J.G. Harrington
Attorneys for Cox Communications, Inc.
Dow, Lohnes & Albertson, PLLC
1200 New Hampshire Avenue, NW
Suite 800
Washington, DC 20036

David E. Screven
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105

John McHugh
Stuart Polikoff
OPASTCO
21 Dupont Circle NW, Suite 700
Washington, DC 20036

Lawrence G. Malone
New York Department of Public Service
Three Empire State Plaza
Albany, NY 12223

Larry A. Peck
Counsel for Ameritech
2000 West Ameritech Center Drive
Hoffman Estates, IL 60196

James R. Hobson
Attorney for NENA
Donelan, Cleary, Wood & Master, PCD
1100 New York Avenue, NW, #750
Washington, DC 20005

Richard A. Muscat
The Gonzalez Law Firm, PC
One Westlake Plaza
1705 S. Capital of Texas Hwy, #1700
Austin, TX 78746

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Larry A. Blosser
Kernal Hawa
Attorneys for Connect Communications
Corp.
Swidler Berlin Shereff Friedman, LLP
3000 K Street, NW, Suite 300
Washington, DC 20007

William Irby
Division of Communications
Virginia State Corporation Commission
Tyler Building
1300 E. Main Street
Richmond, VA 23219

John M. Goodman
Attorney for Bell Atlantic
1300 I Street, N.W., Suite 400 West
Washington, DC 20005

Joe H. Cheskis, Counsel for
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101

Mary McDermott
Robert L. Hoggarth
Personal Communications Industry Assn.
500 Montgomery Street, Suite 700
Alexandria, VA 22314

John F. Raposa
GTE Service Corporation
600 Hidden Ridge, HQE03J27
P.O. Box 152092
Irving, TX 75015

Mary A. Keeney
Assistant Attorney General
Natural Resources Division
P.O. Box 12548, Capitol Station
Austin, TX 78711

Dorothy Atwood
Chief, Common Carrier Bureau
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, DC 20554

Yog Varna*
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, DC 20554

Jeannie Grimes*
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, DC 20554

~~Robert Atkinson*~~
~~Federal Communications Commission~~
~~The Portals~~
~~445 12th Street, S.W., 5th Floor~~
~~Washington, DC 20554~~

Diane Griffin Harmon*
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, DC 20554

Tejal Mehta*
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, DC 20554

International Transcription Services*
1231 20th Street, N.W.
Washington, DC 20036

Teresa K. Gaugler
Jane Kunka
Qwest Communications Corporation
4250 North Fairfax Drive
Arlington, VA 22203

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Richard A. Askoff
Regina McNeil
National Exchange Carrier Assn., Inc.
100 South Jefferson Road
Whippany, NJ 07981

The Honorable Raymond L. Gifford
Colorado Public Utilities Commission
1580 Logan Street, Office Level 2
Denver, CO 80203

Marc D. Poston
William K. Haas
Missouri Public Service Commission
301 West High Street, Room 750
Jefferson City, MO 65101

Emily M. Williams
ALTS
888 17th Street, NW, Suite 900
Washington, DC 20006

John W. Hunter
Lawrence E. Sarjeant
Linda L. Kent
USTA
1401 H Street, NW, Suite 600
Washington, DC 20005

The Honorable Donald L. Dear
City of Gardena
1700 West 162nd Street
Gardena, CA 90247

Bob Pinzler
South Bay Cities Council of Govt.
5033 Rockvalley Road
Rancho Palos Verdes, CA 90275

Richard Eyre
REC Networks
P.O. Box 2408
Tempe, AZ 85280

Reginald N. Todd
Chief Legislative Representative
County of Los Angeles
440 First Street, NW, Suite 440
Washington, DC 20001

The Honorable Dee Hardison
City of Torrance
3031 Torrance Boulevard
Torrance, CA 90509

Theresa Fenelon Falk
Attorney for Saco River Telegraph &
Telephone Company
Pillsbury Madison & Sutro, LLP
1100 New York Avenue, NW, 9th Floor
East
Washington, DC 20005

Edward A. Yorkgitis, Jr.
Attorney for Liberty Telecom LLC
Kelley, Drye & Warren, LLP
1200 19th Street, NW, Suite 500
Washington, DC 20036

Marsha N. Cohen
2201 Lyon Street
San Francisco, CA 94115

Richard C. Bartel
Communications Venture Service, Inc.
P.O. Box 11555
Washington, DC 20008

Peggy Arvanitas
c/o MAX First Class
621 Bypass Drive
Clearwater, FL 33764

Douglas F. Carlson
P.O. Box 12574
Berkeley, CA 94712

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Michael A. Sullivan
15 Spencer Avenue
Somerville, MA 02144

Gilbert Yablon
SMART Dialing Systems
21914 Dumetz Road
Woodland Hills, CA 91364

William Neill
P.O. Box 33666
San Diego, CA 92163

Hugh R. Burrows
The BURROWS Resource Group Inc.
P.O. Box 5000
Lanark, Ontario
Canada K0G 1K0

Barclay Johnson
New Hampshire Public Utilities
Commission
8 Old Suncook Road
Concord, NH 03301

Kevin Penders
Dept. Of Telecommunications & Energy
One South Station, 2nd Floor
Boston, MA 02110

James S. Blaszk
Attorney for The Ad Hoc
Telecommunications Users Committee
Levine, Blaszk, Block & Boothby, LLP
2001 L Street, NW, Suite 900
Washington, DC 20036

Jonathan Chambers
Sprint PCS
1801 K Street, NW, Suite M112
Washington, DC 20006

Pamela J. Riley
David A. Gross
AirTouch Communications, Inc.
1818 N Street, NW, Suite 800
Washington, DC 20036

John F. Farmer, Jr.
Attorney for the
New Jersey Board of Public Utilities
124 Halsey Street - 5th Floor
P.O. Box 45029
Newark, NJ 07101

L. Marie Guillory
Jill Canfield
National Telephone Cooperative
Association
4121 Wilson Blvd, 10th Floor
Arlington, VA 22203

Daniel M. Waggoner
Robert S. Tanner
Jane Whang
Davis Wright Tremaine LLP
1501 Fourth Ave.
Suite 2600
Seattle, WA 98101-1688

Thomas S. Hunter
Melissa Caro
Texas Office of Public Utility Counsel
1701 N. Congress Avenue, Suite 9-180
Austin, TX 78701

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